

**CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction – December 14, 2004
Public Hearing – January 04, 2005

CONTACT PERSON/PHONE: Fred Lopez, 541-4925

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. ZON04-00148, to allow for a parking reduction on the property described as a portion of Lots 29 through 32, Block 60, East El Paso Addition, El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Angela V. Rosales. (District 8)

BACKGROUND / DISCUSSION:

See attached staff report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00148, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS A PORTION OF LOTS 29 - 32, BLOCK 60, EAST EL PASO ADDITION, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.64.175 OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, the **Angela V. Rosales** has applied for a Special Permit under Section 20.64.175 of the El Paso Municipal Code to allow for a parking reduction;

WHEREAS, the requirements of Section 20.64.175 have been satisfied; and

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in the A-O (Apartment/Office) District, requiring three (3) off-street parking spaces to serve proposed offices;

A portion of Lots 29 - 32, Block 60, East El Paso Addition, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibit "A"; and

2. That the City Council hereby grants a Special Permit under Section 20.64.175 of the El Paso Municipal Code so that the parking requirements described in Paragraph 1 of this Ordinance may be satisfied with a parking reduction as described in Paragraph 3 of this Ordinance;

3. That the City Council hereby grants a Special Permit under Section 20.64.175 for a parking reduction of 100%;

4. That this Special Permit is issued subject to the development standards in the A-O (Apartment/Office) District regulations and is subject to the approved Detailed Site Development

Plan signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and is incorporated herein by reference for all purposes;

5. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON04-00148**, shall be subject to automatic termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of _____, 2005.

THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:

Fred Lopez, Zoning Coordinator
Planning, Research & Development

Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

APPROVED AS TO FORM:

Matt Watson, Assistant City Attorney

AGREEMENT

Angela V. Rosales, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan and in accordance with the standards identified in the A-O (Apartment/Office) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 08 day of DECEMBER, 2004.

Name: + Angela Valler Rosales

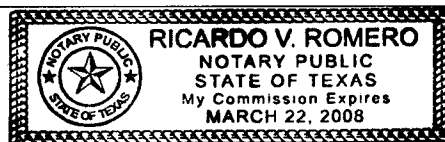
ACKNOWLEDGMENT

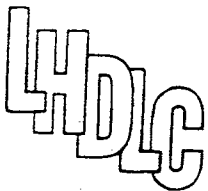
THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 08 day of DECEMBER 2004, by ANGELA V. ROSALES, as Applicant.

My Commission Expires:
03-22-2008

Ricardo V. Romero
Notary Public, State of Texas
Notary's Printed or Typed Name:





LUIS H. DE LA CRUZ
LAND USE CONSULTANT &
DRAFTING - DESIGN SERVICES
9013 LAIT ST. EL PASO, TX
915/598-0571

Metes And Bonds
518 North Cebada St.

A parcel of land being a portion of lots 29,30,31& 32, Block 60,
East El Paso addition City of El Paso, El Paso, County Texas and
being more particularly described a follow to-wit.

From a point, said point being the centerline intersection of the
Missouri Ave and Cebada St. Thence S 89 35' 0 E along the
centerline of Missouri Ave. a distance of 35 ft to a point. Thence 0
25 0 W a distance of 70 ft. to the piont of beginninng;

Thence S 89 35' 0 E a distance of 100 ft to a point
Thence S 0 25 0 W a distance of 35 ft. to the piont
Thence N 89 35' 0 W a distance of 100 ft to a point
Thence N 0 25 0 E a distance of 35 ft. to the Point of Beginning,
and containing in all 3,500.00 s.f. or 0.08 acres of land more or less.

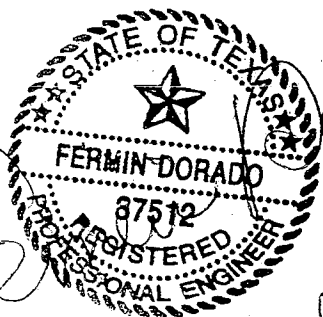


Exhibit "A"

20N04-00143
20N04-00148

N
SCALE 1"=20'

**DETAILED SITE DEVELOPMENT
PLAN APPROVED BY CITY COUNCIL**

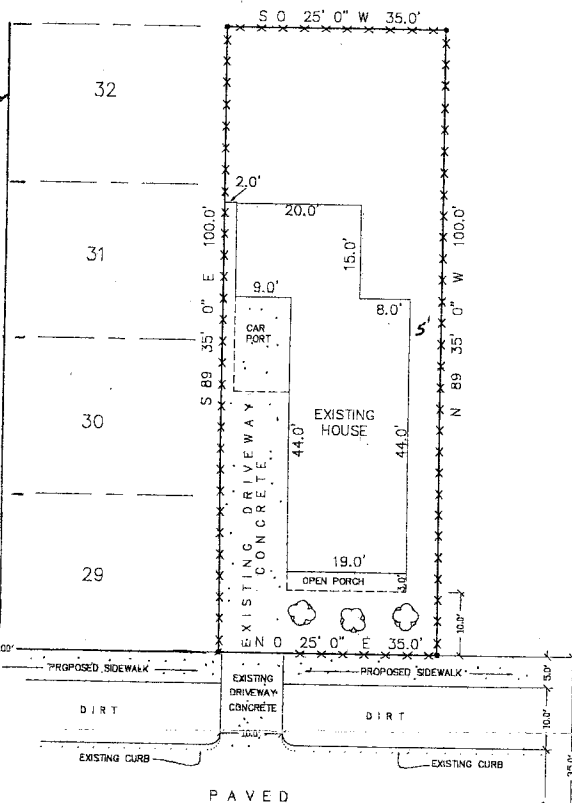
DATE

APPLICANT

EXECUTIVE SECRETARY
CITY PLAN COMMISSION

MAYOR

MISSOURI AVE.



518 N. CEBADA ST.

LHDL LAND USE CONSULTANT- DRAFTING & DESIGN SERVICES
9013 LAIT ST. EL PASO, TEXAS 79925 915-590-9320

LOT: S 35.00 FT. OF THE N 70.00 FT. OF LOTS 29, 30, 31, AND 32		DATE: 11/05/04
ADDRESS: 518 N. CEBADA ST. 79903		SCALE: 1"=20'
BLOCK: 60 EAST EL PASO ADDITION		DRAWN BY: LRD
SUBDIVISION: 3,500.00 S.F. OR 0.08 ACRES		CHECKED BY: LHD
CITY: EL PASO	STATE: TEXAS	
OWNER: ANGELA V. ROSALES		

Exhibit "B"

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

GEORGE G. SARMIENTO, AICP
DIRECTOR

**PLANNING, RESEARCH &
DEVELOPMENT DEPARTMENT**

December 06, 2004

TO: The Honorable Mayor and City Council
Ms. Joyce A. Wilson

FROM: Fred Lopez, Planner II / Zoning Coordinator

SUBJECT: ZON04-00148

The City Plan Commission (CPC), on December 02, 2004, voted **7 - 0** to recommend **APPROVAL** of the special permit to allow for a parking reduction of 100%.

The CPC found that this special permit is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this special permit protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There was **NO OPPOSITION** to this request.

STAFF REPORT

Special Use Permit #: ZON04-00148

Property Owner: Angela V. Rosales

Applicant: Angela V. Rosales

Representative: Luis De La Cruz

Legal Description: A portion of Lots 29 - 32, Block 60, East El Paso Addition

Location: 518 N. Cebada Street

Representative District: # 8

Area: 0.0803 Acres

Present Zoning: R-5 (Residential)

Proposed Zoning: A-O (Apartment/Office)

Existing Use: Residential

Proposed Use: Offices

Request: Parking Reduction (100%)
3 parking spaces required, 0 parking spaces provided

Recognized Neighborhood Associations Contacted: Five Points Neighborhood Association

Surrounding Land Uses:

North -	R-5 (Residential) / residential
South -	R-5 (Residential) / residential
East -	R-5 (Residential) / residential
West-	R-5 (Residential) / residential

Year 2025 Designation: **Commercial** (Central Planning Area)

**CITY PLAN COMMISSION HEARING, December 02, 2004,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

Special Use Permit: ZON04-00148

General Information:

The applicant is requesting a special permit to allow for a parking reduction of 100% for proposed offices. The property is 0.0803 of an acre in size and is currently an existing residence. The proposed site plan shows the existing residence located on the site which would partially be converted into offices. Access is proposed via Cebada Street with no parking spaces provided. There are no zoning conditions currently imposed on this property.

The El Paso Municipal Code requires a minimum of three (3) parking spaces for the proposed offices. A Traffic Study was conducted on November 12, 2004 and showed seventy-three (73) total parking spaces within a 300-foot radius of the subject property. At the peak hour of 7:00 pm, there were forty-six (46) available parking spaces.

This application is being processed concurrently with ZON04-000143. The request is for a rezoning from R-5 (Residential) to A-O (Apartment/Office) in order to permit offices.

Information to the Commission:

The Planning Department has received one (1) letter regarding this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this special permit request for a parking reduction of 100%.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “provide a pattern of commercial and office development which best serves the community needs and which complements and serves all other land uses.”

The Year 2025 Projected General Land Use Map for the **Central** Planning Area designates this property for **Commercial** land uses.

The proposed **A-O (Apartment/Office) zoning** permits a parking reduction by special permit.

The Commission must determine the following:

Will the special permit for a parking reduction of 100% protect the best interest, health, safety and welfare of the public in general?

Information To The Applicant:

Building Permits and Inspections Department Notes:

Building Permits and Inspections does not object to the proposed parking reduction of 100%.

Engineering Department, Development Division Notes:

See Enclosure 1.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns.

Fire Department Notes:

Special permit request does not adversely affect the Fire Department.

El Paso Water Utilities Notes:

No comments.

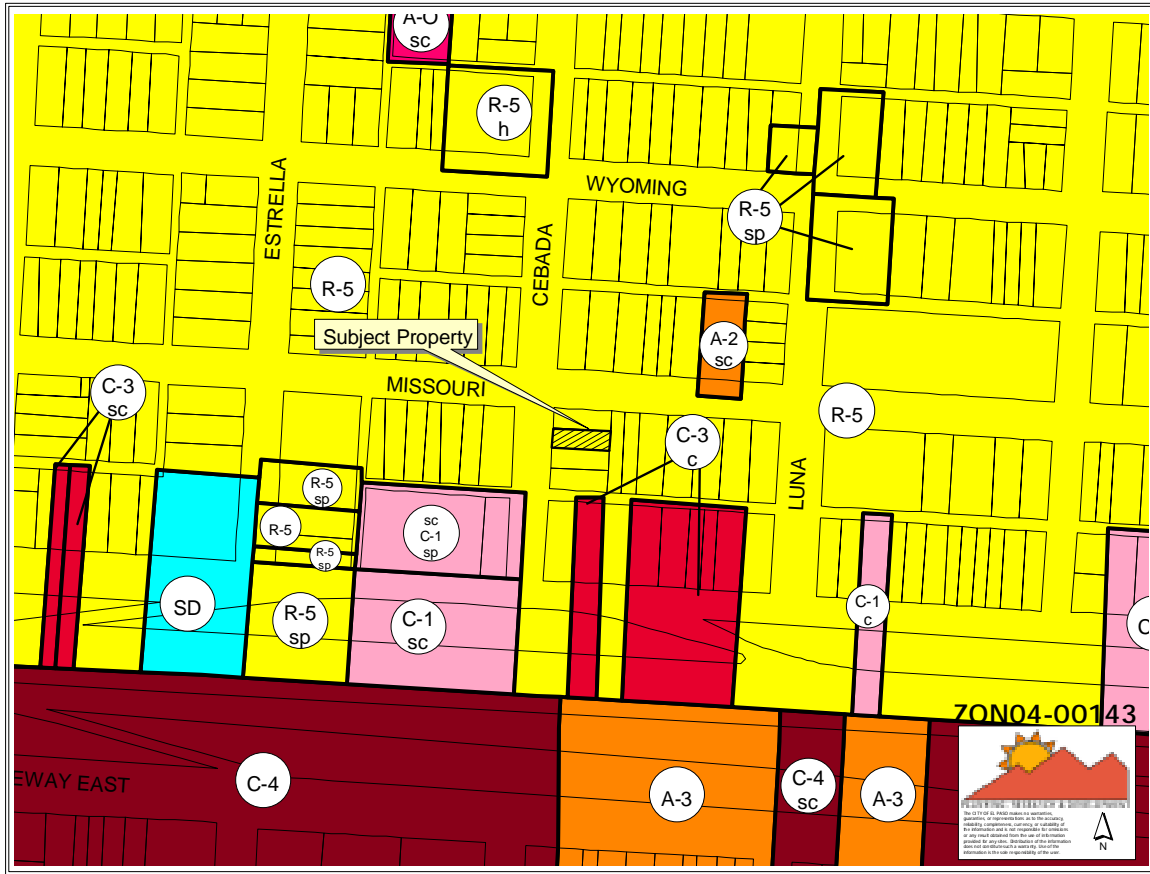
Planning, Research & Development Department Notes:

- A. The Year 2025 Projected General Land Use Map for the Central Planning Area designates this property for Commercial land uses.
- B. The proposed A-O (Apartment/Office) zoning permits a parking reduction by special permit.

ATTACHMENT: Site Plan; Enclosure 1.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT AT (915) 541-4056.

LOCATION MAP



AERIAL MAP



SITE PLAN

